

Judge Leighton

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	
)	NO. CR06-5101RBL
Plaintiff,)	
)	
v.)	ORDER CONTINUING TRIAL
)	DATE AND DEADLINE FOR
JOSE ANGEL LOPEZ-AGUILAR,)	PRE-TRIAL MOTIONS
a/k/a "Pepe," Feliz Jose Pacheco-Pacheco,))	
Jose Angel Lopez-Vazquez,)	
JOSE VAZQUEZ -LOPEZ,)	
a/k/a "Chapelo," Jose Vazquez, and)	
SANBINO GARCIA-QUIROZ,)	
a/k/a "Flaco," Bertoldo Orta-Garcia,)	
Otoniel Rodriguez-Mercado,)	
)	
Defendants.)	

All Defendants, through counsel, and the United States have requested a continuance of the trial date and pretrial motions deadline previously set in this case, and all Defendants have submitted a written speedy trial waivers through June 23, 2006; accordingly:

THE COURT FINDS:

1. This case involves an alleged interstate conspiracy to possess with intent to distribute a large quantity of Methamphetamine. Trial was originally set for April 10, 2006. A discovery conference was held on February 28, 2006, and the United States provided discovery at that time.

2. After a substitution of counsel, new counsel for Defendant Lopez-Aguilar entered the case on March 6, 2006. A second discovery conference was held for new counsel on March 14,

1 2006.

2 3. All Defendants' primary language is Spanish, requiring the use of interpreters and
3 translation of evidence. The process of translating evidence, documents, and plea offers takes additional
4 time.

5 4. Attorneys for all Defendants require additional time to analyze the disclosed
6 reports and prepare a defense. Defendants also need additional time to review and analyze discovery in
7 preparation for pretrial motions. Both parties require additional time to engage in plea negotiations.

8 5. Because of all these factors, Defendants and Defense counsel agree that they
9 cannot adequately be prepared for trial on April 10, 2006. They request a continuance until June, 2006.

10 6. The United States does not oppose this request for continuance.

11 IT IS HEREBY ORDERED that the **JURY TRIAL** shall be continued from April 10, 2006, until
12 **JUNE 5, 2006 AT 9:00 A.M.** The deadline for filing **pre-trial motions** is extended to
13 **APRIL 24, 2006.** A **MOTION HEARING**, if needed, is scheduled for **MAY 11, 2006 at 9:00 A.M.**
14 The **PRE-TRIAL CONFERENCE** is scheduled for **MAY 31, 2006 at 9:00 A.M.**

15 THE COURT FINDS that the period of time between April 10, 2006, and this new trial date shall
16 be excluded from computation under 18 U.S.C. §§ 3161(h)(8)(A), and 3161(h)(8)(B)(I) and (iv), because
17 of the nature of the prosecution, and the need for counsel for the Defendants for more time for effective
18 preparation, taking into account the exercise of due diligence, and that it is unreasonable to expect
19 effective preparation for pretrial proceedings or for the trial itself within the time limits established by the
20 Speedy Trial Act. The Court finds that failure to grant such a continuance would result in a miscarriage
21 of justice.

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27 THE COURT FURTHER FINDS that the ends of justice served by this continuance outweigh the
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1 best interest of the public and Defendants in a speedy trial.

2 IT IS SO ORDERED this 27th day of March, 2006.

3 
4 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

5 Presented by:

6 s/ Sarah Vogel/Matthew H. Thomas

7 SARAH VOGEL

8 MATTHEW H. THOMAS

9 Assistant United States Attorneys

10 Approved telephonically:

11 s/ Thomas A. Cena, Jr.

12 THOMAS A CENA, JR.

13 Counsel for Jose Angel Lopez-Aguilar

14 s/ Thomas A. Campbell

15 THOMAS A. CAMPBELL

16 Counsel for Jose Vazquez-Lopez

17 s/ Judith M. Mandel

18 JUDITH M. MANDEL

19 Counsel for Otoniel Rodriguez-Mercado